

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

S. CARL FALCO et al.

CASE NO.: BB-1067-B

APPLICATION NO.: 09/377,431

GROUP ART UNIT: 1636

FILED: AUGUST 19, 1999

EXAMINER: D. GUZO

FOR: PLANT METHIONINE SYNTHASE GENE
AND METHODS FOR INCREASING THE
METHIONINE CONTENT OF THE SEEDS OF
PLANTS

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

This is submitted to facilitate prosecution of the above-identified application.

IN THE CLAIMS

✓
Kindly cancel claims 2-13.

Please add the following new claims:

14. (new) An isolated nucleic acid fragment comprising:

(a) a nucleotide sequence encoding a polypeptide having methionine synthase activity, wherein the amino acid sequence of the polypeptide and the amino acid sequence of SEQ ID NO: 2 or 4 have at least 90% sequence identity based on the Clustal alignment method, or
(b) the complement of the nucleotide sequence of (a).

15. (new) The isolated nucleic acid fragment of claim 14, wherein the amino acid sequence of the polypeptide and the amino acid sequence of SEQ ID NO:2 or 4 have at least 95% sequence identity based on the Clustal alignment method.

16. (new) The isolated nucleic acid fragment of claim 14, wherein the polypeptide comprises the amino acid sequence of SEQ ID NO:2 or 4.

17. (new) The isolated nucleic acid fragment of claim 14, wherein the nucleotide sequence comprises the nucleotide sequence of SEQ ID NO:1 or 3.

18. (new) A vector comprising the isolated nucleic acid fragment of claim 14.

19. (new) A recombinant DNA construct comprising the isolated nucleic acid fragment of claim 14 operably linked to at least one regulatory sequence.